

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE**

In re:

BIG LOTS, INC., *et al.*,

Debtors.<sup>1</sup>

Chapter 11

Case No. 24-11967 (JKS)

(Jointly Administered)

**Re: D.I. 9, 136, 139 & 272**

**CERTIFICATION OF COUNSEL REGARDING FINAL ORDER (I) PROHIBITING UTILITIES FROM ALTERING, REFUSING, OR DISCONTINUING SERVICE, (II) DEEMING UTILITIES ADEQUATELY ASSURED OF FUTURE PERFORMANCE, AND (III) ESTABLISHING PROCEDURES FOR DETERMINING REQUESTS FOR ADDITIONAL ADEQUATE ASSURANCE**

The undersigned counsel to the above-captioned debtors and debtors in possession (the “**Debtors**”) hereby certifies as follows:

1. On September 9, 2024 (the “**Petition Date**”), the Debtors each filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101–1532, and related pleadings with the United States Bankruptcy Court for the District of Delaware.

2. On the Petition Date, the Debtors filed the *Motion of Debtors for Entry of Interim and Final Orders (I) Prohibiting Utilities From Altering, Refusing, or Discontinuing Service, (II) Deeming Utilities Adequately Assured of Future Performance, and (III) Establishing Procedures for Determining Requests for Additional Adequate Assurance* (D.I. 9) (the “Utilities

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<sup>1</sup> The debtors and debtors in possession in these chapter 11 cases, along with the last four digits of their respective employer identification numbers, are as follows: Great Basin, LLC (6158); Big Lots, Inc. (9097); Big Lots Management, LLC (7948); Consolidated Property Holdings, LLC (0984); Broyhill LLC (7868); Big Lots Stores - PNS, LLC (5262); Big Lots Stores, LLC (6811); BLBO Tenant, LLC (0552); Big Lots Stores - CSR, LLC (6182); CSC Distribution LLC (8785); Closeout Distribution, LLC (0309); Durant DC, LLC (2033); AVDC, LLC (3400); GAFDC LLC (8673); PAFDC LLC (2377); WAFDC, LLC (6163); INFDC, LLC (2820); Big Lots eCommerce LLC (9612); and Big Lots F&S, LLC (3277). The address of the debtors’ corporate headquarters is 4900 E. Dublin-Granville Road, Columbus, OH 43081.

Motion")<sup>2</sup>. A proposed form of order granting final relief was attached to the Motion (the "Proposed Final Order").

3. On September 11, 2024, the Court entered the *Interim Order (I) Prohibiting Utilities From Altering, Refusing, or Discontinuing Service, (II) Deeming Utilities Adequately Assured of Future Performance, and (III) Establishing Procedures for Determining Requests for Additional Adequate Assurance* (D.I. 136).

4. On September 11, 2024, the Debtors filed the *Notice of Amended Exhibit to Motion of Debtors for Entry of Interim and Final Orders (I) Prohibiting Utilities From Altering, Refusing, or Discontinuing Service, (II) Deeming Utilities Adequately Assured of Future Performance, and (III) Establishing Procedures for Determining Requests for Additional Adequate Assurance* (D.I.

5. On September 25, 2024, various utility companies (collectively, the "Objecting Utilities") filed the *Objection of Certain Utility Companies to the Motion of Debtors for Entry of Interim and Final Orders (I) Prohibiting Utilities From Altering, Refusing, or Discontinuing Service, (II) Deeming Utilities Adequately Assured of Future Performance, and (III) Establishing Procedures for Determining Requests for Additional Adequate Assurance* (D.I. 272) (the "Objection").

6. Since the Objection was filed, the Debtors have resolved the Objecting Utilities' concerns, and the Objection has been withdrawn (D.I \_\_\_\_).

7. In addition, the Debtors have revised the Proposed Final Order to incorporate comments from Keter Environmental Services ("Keter"), Direct Energy Business,

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<sup>2</sup> Capitalized terms not defined herein have the meaning ascribed to them in the Motion.

LLC (“**Direct Energy**”), UGI Utilities (“**UGI**”), the Official Committee of Unsecured Creditors (the “**Committee**”), and the Office of the United States Trustee (the “**U.S. Trustee**”). The revised form of order granting the relief requested in the Motion on a final basis (the “**Revised Proposed Order**”) is attached hereto as **Exhibit A**.

8. A redline comparing the Revised Proposed Order against the Proposed Final Order is attached hereto as **Exhibit B**.

9. Each of the commenting parties was given an opportunity to review the Revised Proposed Order and do not object to its entry.

WHEREFORE, the Debtors respectfully request entry of the Revised Proposed Order attached hereto as **Exhibit A**.

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Dated: October 21, 2024  
Wilmington, Delaware

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